

**JUDGE KAPLAN**

**07 CIV 9679**  
FILED, STANDARD

**United States District Court  
Eastern District of Pennsylvania (Philadelphia)  
CIVIL DOCKET FOR CASE #: 2:07-cv-02073-BMS  
Internal Use Only**

NEW TRAIL CAPITAL et al v. THE  
NORTHWEST COMPANY, INC.  
Assigned to: HONORABLE BERLE M.  
SCHILLER  
Cause: 28:1332 Diversity-Breach of Contract

Date Filed: 05/22/2007  
Date Terminated: 10/04/2007  
Jury Demand: None  
Nature of Suit: 190 Contract:  
Other  
Jurisdiction: Diversity

**Plaintiff**

**NEW TRAIL CAPITAL**  
*A SOLE PROPRIETORSHIP*

represented by

**REBECCA D. WARD**  
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2008 OCT 23  
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*LEAD ATTORNEY  
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**Plaintiff**

**MICHAEL BEER**

represented by **REBECCA D. WARD**

(See above for address)  
*LEAD ATTORNEY  
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V.

A TRUE COPY CERTIFIED TO FROM THE RECORD  
DATED: 10-26-07  
ATTEST: James Ward  
DEPUTY CLERK, UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

**Defendant**

**THE NORTHWEST  
COMPANY, INC.**

represented by **CHRISTOPHER W.  
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<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
05/22/2007	<a href="#"><u>1</u></a>	COMPLAINT against THE NORTHWEST COMPANY, INC. ( Filing fee \$ 350 receipt number 939565.), filed by NEW TRAIL CAPITAL, MICHAEL BEER.(tj, ) Additional attachment(s) added on 5/22/2007 (tj, ). (Entered: 05/22/2007)
05/22/2007	<a href="#"><u>2</u></a>	Summons Issued; 1 Mailed to counsel 5/22/07 as to THE NORTHWEST COMPANY, INC. (tj, ) (Entered: 05/22/2007)
05/22/2007	<a href="#"><u>2</u></a>	Disclosure Statement Form pursuant to FRCP 7.1 by NEW TRAIL CAPITAL.(tj, ) (Entered: 05/22/2007)
05/22/2007	<a href="#"><u>2</u></a>	(Court only) Standard Case Management Track (tj, ) (Entered: 05/22/2007)
06/14/2007	<a href="#"><u>3</u></a>	AFFIDAVIT of Service by Vincent J. Manna re: served Summons and Complaint upon The Northwest Company, Inc., by Mike Busser, Chief Financial Officer by Personal on 05/29/2007 (WARD, REBECCA) (Entered: 06/14/2007)
06/18/2007	<a href="#"><u>2</u></a>	(Court only) ***Attorney CHRISTOPHER W. WASSON for THE NORTHWEST COMPANY, INC. added. (mac, ) (Entered: 06/18/2007)
06/18/2007	<a href="#"><u>4</u></a>	STIPULATION AND ORDER THAT THE NORTHWEST COMPANY, INC., MAY ANSWER, MOVE OR OTHERWISE RESPOND TO THE COMPLAINT BY 7/18/2007. SIGNED BY JUDGE BERLE M. SCHILLER ON 6/18/07. 6/18/07 ENTERED AND COPIES E-MAILED(mac, ) (Entered: 06/18/2007)

07/18/2007	● <u>5</u>	Disclosure Statement Form pursuant to FRCP 7.1 with Certificate of Service by THE NORTHWEST COMPANY, INC..(WASSON, CHRISTOPHER) (Entered: 07/18/2007)
07/18/2007	● <u>6</u>	MOTION to Dismiss <i>Complaint or, in the alternative</i> , MOTION to Transfer <i>Venue</i> filed by THE NORTHWEST COMPANY, INC..Memorandum of Law in Support and Certificate of Service. (Attachments: # <u>1</u> Text of Proposed Order # <u>2</u> Exhibit A# <u>3</u> Exhibit B)(WASSON, CHRISTOPHER) (Entered: 07/18/2007)
08/06/2007	● <u>7</u>	Stipulation to Extend Time to Respond to Defendant's Motion to Dismiss filed by NEW TRAIL CAPITAL, MICHAEL BEER..(WARD, REBECCA) Modified on 8/7/2007 (nd). (Entered: 08/06/2007)
08/08/2007	● <u>8</u>	STIPULATION AND ORDER THAT PLAINTIFFS' RESPONSE TO THE DEFENDANT MOTION TO DISMISS THE COMPLAINT IS EXTENDED 8/16/07; ETC.. SIGNED BY JUDGE BERLE M. SCHILLER ON 8/7/07. 8/8/07 ENTERED AND E-MAILED.(jl, ) (Entered: 08/08/2007)
08/16/2007	● <u>9</u>	Memorandum of Law in Opposition re <u>6</u> MOTION to Dismiss <i>Complaint or, in the alternative</i> MOTION to Transfer <i>Venue</i> <i>Memorandum in Opposition</i> filed by NEW TRAIL CAPITAL, MICHAEL BEER. (WARD, REBECCA) Modified on 8/20/2007 (fh) (Entered: 08/16/2007)
08/16/2007	● <u>10</u>	AFFIDAVIT in Support re <u>6</u> MOTION to Dismiss <i>Complaint or, in the alternative</i> MOTION to Transfer <i>Venue</i> filed by NEW TRAIL CAPITAL, MICHAEL BEER. (WARD, REBECCA) Modified on 8/20/2007 (fh) (Entered: 08/16/2007)
08/17/2007	● <u>11</u>	MOTION for Leave to File <i>Reply Papers</i> filed by THE NORTHWEST COMPANY, INC..Certificate of

		Service.(WASSON, CHRISTOPHER) (Entered: 08/17/2007)
08/21/2007	● <u>12</u>	ORDER THAT THE DEFENDANTS MOTION FOR LEAVE TO FILE REPLY PAPERS (DOC. NO. 11) IS GRANTED. DEFENDANT SHALL FILE ITS ERPLY BY 8/31/07. SIGNED BY JUDGE BERLE M. SCHILLER ON 8/21/07. 8/21/07 ENTERED AND COPIES E-MAILED. (jpd) (Entered: 08/21/2007)
08/31/2007	● <u>13</u>	Reply Memorandum of Law in Further Support of Defendant's Motion to Dismiss Plaintiffs' Complaint or, in the Alternative, to Transfer Venue re <u>6</u> MOTION to Dismiss <i>Complaint or, in the alternative</i> MOTION to Transfer <i>Venue</i> filed by THE NORTHWEST COMPANY, INC., Affidavit, Certificate of Service. (WASSON, CHRISTOPHER) Modified on 9/4/2007 (nd). (Entered: 08/31/2007)
09/05/2007	● <u>14</u>	APPLICATION OF DEFENDANT THE NORTHWEST COMPANY, INC. FOR ERICA D. BUSCH, ESQUIRE TO PRACTICE IN THIS COURT PURSUANT TO LOCAL RULE OF CIVIL PROCEDURE 83.5.2(b), CERTIFICATE OF SERVICE. (jpd) (Entered: 09/05/2007)
09/05/2007	● <u>15</u>	APPLICATION OF DEFENDANT THE NORTHWEST COMPANY, INC. FOR PHILIPPE A. ZIMMERMAN, ESQUIRE TO PRACTICE IN THIS COURT PURSUANT TO LOCAL RULE OF CIVIL PROCEDURE 83.5.2(b), CERTIFICATE OF SERVICE. (jpd) (Entered: 09/05/2007)
09/05/2007	● <u>16</u>	ORDER THAT THE APPLICATION OF PHILIPPE A. ZIMMERMAN, ESQUIRE TO PRACTICE IN THIS COURT PURSUANT TO LOCAL RULE 83.5.2(b) IS GRANTED. SIGNED BY JUDGE BERLE M. SCHILLER ON 9/5/07. 9/5/07 ENTERED AND COPIES E-MAILED. (jpd) (Entered: 09/05/2007)

09/05/2007	● <u>17</u>	ORDER THAT THE APPLICATION OF ERICA D. BUSCH, ESQUIRE TO PRACTICE IN THIS COURT PURSUANT TO LOCAL RULE 83.5.2(b) IS GRANTED. SIGNED BY JUDGE BERLE M. SCHILLER ON 9/5/07. 9/5/07 ENTERED AND COPIES E-MAILED. (Entered: 09/05/2007)
09/05/2007	●	(Court only) *** Attorney ERICA D. BUSCH for THE NORTHWEST COMPANY, INC., PHILIPPE A. ZIMMERMAN for THE NORTHWEST COMPANY, INC. added. (jpd, ) (Entered: 09/10/2007)
10/04/2007	● <u>18</u>	MEMORANDUM AND ORDER THAT THE DEFENDANT'S MOTION TO DISMISS (DOC. NO. 6) IS GRANTED AND THIS MATTER IS TRANSFERRED TO THE U.S.D.C. SOUTHERN DISTRICT OF NEW YORK. SIGNED BY JUDGE BERLE M. SCHILLER ON 10/4/07. 10/4/07 ENTERED AND COPIES MAILED AND E-MAILED. (jpd) (Entered: 10/04/2007)
10/04/2007	●	(Court only) ***Documents terminated***Deadlines terminated. (jpd, ) (Entered: 10/04/2007)
10/04/2007	●	(Court only) ***Civil Case Terminated. (sf, ) (Entered: 10/05/2007)
10/26/2007	●	Letter, Certified Copy of Docket Entries and Order of this Court dated 10/4/07 forwarded to The United States District Court for the Southern District of New York. (jpd) (Entered: 10/26/2007)